

REMARKS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 1-11 are presently active in this case. The present Amendment amends Claim 1-2, 4 and 6-9 and adds new Claim 11 without introducing any new matter.

Claims 1-2 and 7-8 were rejected under 35 U.S.C. §102(b) as anticipated by Hunsinger et al. (U.S. Patent No. 5,745,525, herein "Hunsinger"). Claims 5 and 9 were rejected under 35 U.S.C. §103(a) as unpatentable over Hunsinger. Claims 3-6 and 10 were indicated as allowable if rewritten in independent form.

Applicant acknowledges with appreciation the indication of allowable subject matter. In response, independent Claim 1 is amended to recite all the features of allowable, dependent Claim 6. Consequently, the claim dependency of Claim 6 is amended. In addition, Claim 4 is amended to correct a minor formality. Applicant therefore respectfully submits that Claim 1 is believed to be in condition for allowance.

Furthermore, Applicant respectfully requests that the references AO-AS cited in the Information Disclosure Statement (IDS) filed October 15, 2001 be acknowledged as having been considered in the next Office Action. The references of the IDS were cited in a French Search report of a foreign counterpart application.

To clarify Applicant's invention, Claim 2 is amended to recite "at transmission, one or more preprocessing steps are performed, including introducing a delay for the analog signal S₂." This feature finds non-limiting support in the disclosure as originally filed, for example at page 9, line 8. Independent Claim 7 is amended to recite "said transmitter includes ...a device configured to obtain a compression of a dynamic range of the analog audio signal S₂," the feature finding non-limiting support in Applicant's disclosure, for example in original Claim 3. In addition, independent Claim 8 is amended to clarify that

“said transmitter includes ... a device configured to introduce a delay into the analog audio signal S_2 ,” and independent Claim 9 is amended to recite “a device configured to perform a windowing on the received signal S_r on a portion of the received signal that is supposed to be stable.” This feature finds non-limiting support in Applicant’s specification, for example at page 10, lines 15-18.

In response to the rejections of Claims 2, 5 and 7-9 under 35 U.S.C. §§102(b) and 35 U.S.C. 103(a), in light of the amendments to independent Claims 2 and 7-9, Applicant respectfully requests reconsideration of these rejections and traverses the rejections, as discussed next.

Turning now to the applied reference, Hunsinger describes a method of transmitting information through a medium, wherein digitally modulated waveforms and analog FM signal are broadcast, to form a composite signal.¹ Hunsinger’s receiver separates the analog FM signal from the digital signal and thereafter demodulates the digital data-carrying waveforms and outputs a stream of digital data.² Hunsinger shows in Figure 19C a configuration of an analog digital signal generator used in the transmitter. For this generator, Hunsinger explains that “[t]he output of D/A converters 197 is filtered by 400 kHz 8-pole Butterworth lowpass filters 199. D/A converters 197 are used to drive hybrid I/Q modulator mixer 201, which may be a Minicircuits MIQA100 in certain embodiments. Local oscillator source 203 for quadrature mixer 201 is of the high stability, low phase, CW type operating at the same frequency as the analog FM carrier. Bandpass filter 205 removes undesired sidebands and amplifier 51 is a linear power amplifier.”³

However, Hunsinger fails to teach or suggest that at transmission, one or more preprocessing steps are performed, including *introducing a delay for the analog signal S_2* , as

¹ See Hunsinger from column 3, line 63, to column 4, line 19, and in Figure 1.

² See Hunsinger at column 4, lines 14-17.

³ See Hunsinger at column 18, lines 10-21.

recited in Applicants' Claim 2. Amended, independent Claim 8 recites a similar feature.

Hunsinger describes the use of low-pass filters and modulators, but fails to teach or suggest the introduction of a delay.

Regarding independent Claim 7, Hunsinger does not disclose a device configured to obtain a compression of a dynamic range of the analog audio signal S_2 , as recited in amended, independent Claim 7. Hunsinger merely explains that the low-noise amplifier of prefilter 85 is followed by a high dynamic range diode-ring mixer 87.⁴

In addition, Hunsinger fails to teach or suggest a device configured to perform a windowing on the received signal S_r on a portion of the received signal that is supposed to be stable, as recited in Applicants' Claim 9. In fact, Hunsinger is entirely silent on such a feature.

Therefore, the applied reference fail to teach or suggest every feature recited in Applicant's claims, so that Claims 2, 5 and 7-9 are believed to be patentably distinct over Hunsinger. Accordingly, Applicant respectfully traverses, and requests reconsideration of, the rejection based on Hunsinger.⁵

To vary the scope of protection recited in the claims, new Claim 11 is added. New Claim 11 depends upon Claim 2 and recites "the preprocessing steps further include lowpass filtering and sampling."⁶ Since the new claims find non-limiting support in the specification as originally filed, they are not believed to raise a question of new matter.⁷

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in

⁴ See Hunsinger at column 18, lines 57-58.

⁵ See MPEP 2131: "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference," (Citations omitted) (emphasis added). See also MPEP 2143.03: "All words in a claim must be considered in judging the patentability of that claim against the prior art."

⁶ Finds non-limiting support in the disclosure as originally filed, for example at page 8, lines 25-34.

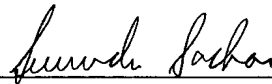
⁷ See MPEP 2163.06 stating that "information contained in any one of the specification, claims or drawings of the application as filed may be added to any other part of the application without introducing new matter."

condition for formal Allowance. A Notice of Allowance for Claims 1-11 is earnestly solicited.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact Applicant's undersigned representative at the below listed telephone number.

Respectfully submitted,

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